

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
JULY 13, 2022**

<p>CALL TO ORDER 6:00 PM</p>	<p>A meeting of the Flathead County Planning Board was Flathead called to order at approximately 6:00 p.m. at the Flathead County Fair & Event Center, Expo Building, 265 N Meridian Road, Kalispell, Montana. Board members present were Sandra Nogal, Greg Stevens, Jeff Larsen, Elliot Adams, Verdell Jackson, Buck Breckenridge, and Gary Votapka. Kevin Lake and Tyler Hartz had an excused absence. Landon Stevens, Zachary Moon, and Erik Mack represented the Flathead County Planning & Zoning Office.</p> <p>There were approximately 100 members of the public in attendance, and nobody joined over Zoom.</p>
<p>APPROVAL OF MEETING MINUTES 6:00 PM</p>	<p>Nogal made a motion, seconded by Jackson, to approve the June 8, 2022 meeting minutes.</p> <p>Motion passed on a roll call vote; Stevens abstained.</p>
<p>PUBLIC COMMENT <i>(Public matters that are within the jurisdiction of the Board 2-3-103 M.C.A)</i> 6:00 PM</p>	<p>Marshall Friedman, 1707 KM Ranch Road, co-founder of the 'Friends for Responsible Rural Growth,' commented about the frustration that members of the public were feeling regarding the postponement of the Montarise Developments LLC just hours before the meeting.</p>
<p>DISCLOSURE OF ANY CONFLICT OF INTERESTS 6:00 PM</p>	<p>None</p>
<p>ANNOUNCEMENT FROM THE BOARD CHAIR</p>	<p>Larsen addressed the public, stating the board was going to discuss the item that had been postponed, to see about rescheduling the hearing. He also stated it was not the Boards decision to postpone a meeting, that was the applicant's prerogative.</p>
<p>MONTARISE DEVELOPMENTS, LLC (FZC-22-05) 6:04 PM</p>	<p>A zone change request from APEC Engineering, on behalf of Montarise Developments, LLC for property within the Prairie View Zoning District. The proposal would change the zoning on three parcels of land located north of KM Ranch Road near Whitefish, MT from <i>SAG-5 (Suburban Agricultural)</i> to <i>R-1 (Suburban Residential)</i>. The total acreage involved is approximately 155.9 acres Postponed by Applicant 7.13.22 @ 3:30 pm</p>


BOARD AND STAFF DISCUSSION 6:05 PM	<p>Erik Mack, Planning Director, addressed the Board. He stated that the fairgrounds buildings were not available in August because of the Northwest Montana Fair, and the next regularly scheduled meeting after that, there was no availability either. The options were September 7th or September 28th if the Board wanted to hold a special meeting just for the Montarise Developments LLC agenda item.</p>
BOARD DISCUSSION	<p>Larsen addressed the Board members and asked what they thought about having two meetings in one month.</p> <p>Mack stated there were a lot of items that were scheduled for the regular meeting in September.</p> <p>Larsen commented that he didn't really like having two meetings in one month, but with the amount of people that wanted to comment on the agenda item, he didn't want to put it into the normal meeting. He would be okay with having the meeting on its own.</p> <p>Mack said that if they wanted to schedule it for September 28th, there was a chance he would be out of the office on personal leave.</p> <p>The Board members said they didn't have a conflict for either of those dates. They decided to hold the 'special' meeting on September 7, 2022 in the Expo Building, beginning at 6:00 pm.</p> <p>A member of the public asked if the applicants could table the agenda item again. Mack said that was their prerogative, there wasn't a statutory timeline for a zone change.</p> <p>A member of the public expressed frustration about the minutes for the planning board not having been updated online since January 2022. He also addressed the Growth Policy not being updated to address the recent growth in the valley.</p> <p>Larsen reiterated that the 'special' meeting would be scheduled for September 7, 2022 at 6:00 pm in the Expo Building at the Flathead County Fairgrounds.</p>
DARRYL SWISHER (FZC-22-09) 6:10 PM	<p>A zone change request from Darryl Swisher for property located within the Evergreen Zoning District. The proposal would change the zoning on a parcel of land located at 121 Springcreek Drive, Kalispell, MT from <i>R-2 (One-Family Limited Residential)</i> to <i>R-1 (Suburban Residential)</i>. The total acreage involved in the request is 1.010 acres that can legally be described as Lot 3, of Block 1 of Ziesmer's Acres Subdivision in Section 33, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.</p>

STAFF REPORT <i>6:11 PM</i>	Landon Stevens reviewed staff report FZC-22-09 for the board.
BOARD QUESTIONS <i>6:12 PM</i>	<p>Nogal asked if the new buildings would need to come back through the planning office for review.</p> <p>Stevens said no, any sort of building would just have to meet the requirements for R-1, setbacks and lot coverage.</p> <p>Adams wanted to clarify that the fruit stand falls under agricultural, not commercial.</p> <p>Stevens said it falls under 'produce stand' which is a permitted use.</p>
APPLICANT PRESENTATION <i>6:14 PM</i>	Darryl Swisher, and his wife, 121 Springcreek Drive, spoke about how the public drives up to their house and goes into their yard to pick fruit from their trees. They want to have a fruit stand to deter people from coming into their yard, uninvited, to pick from their privately owned trees. They would prefer to pick the fruit themselves and not allow people to bring ladders onto their property.
BOARD QUESTIONS <i>6:16 PM</i>	None
AGENCY COMMENTS <i>6:16 PM</i>	There were no public agencies present to comment. Written comments were reviewed in the staff report.
PUBLIC COMMENT <i>6:16 PM</i>	None
APPLICANT REBUTTAL <i>6:17 PM</i>	None
STAFF REBUTTAL <i>6:17 PM</i>	None
BOARD QUESTIONS <i>6:17 PM</i>	None

MAIN MOTION TO ADOPT F.O.F. (FZC-22-09) 6:17 PM	Sevens made a motion, seconded by Adams, to adopt staff report FZC-22-09 as findings of fact.
BOARD DISCUSSION 6:17 PM	None
ROLL CALL TO ADOPT F.O.F. (FZC-22-09) 6:17 PM	On a roll call vote, the motioned passed unanimously.
MAIN MOTION TO RECOMMEND APPROVAL (FZC-22-09) 6:18 PM	Stevens made a motion, seconded by Breckenridge to recommend approval of FZC-22-09 to the Board of County Commissioners.
BOARD DISCUSSION 6:18 PM	None
ROLL CALL TO RECOMMEND APPROVAL (FZC-22-09) 6:19 PM	On a roll call vote, the motioned passed unanimously.
AMND PLAT EAGLES CREST RIDGE LOT 8 (FPP-22-11) 6:19 PM	A request from Anna Vickers and Jeff Walla of IMEG Corp., on behalf of Derek Nicoll and Gregory Thompson, for preliminary plat approval of the Amended Plat of Eagles Crest Lot 8, a proposal to create 2 residential lots on 7.59 acres. The proposed lots would be served by individual septic systems and a shared well. The property is located at 86 Big Rock Ridge Road, Lakeside, MT and can legally be described as Lot 8 of Eagles Crest Ridge Subdivision in the Southeast ¼ of Section 19, Township 26 North, Range 20 West, P.M.M., Flathead County, Montana.
STAFF REPORT 6:19 PM	Zachary Moon reviewed staff report FPP-22-11 for the Board.
BOARD QUESTIONS 6:19 PM	None

APPLICANT PRESENTATION 6:21 PM	Jeff Walla, IMEG Corporation, 1300 Foy's Lake Road, represented the applicants. He didn't have anything to add, it's a simple two lot subdivision, consistent with what's been developed out there. They originally set that up so the larger lots can be subdivided into two lots. The current property owner is wanting to build two separate residences on there. He addressed the well agreement and said they are working through that process.
BOARD QUESTIONS 6:22 PM	<p>Nogal wanted to clarify that this subdivision doesn't violate the original plat.</p> <p>Walla confirmed.</p> <p>Votapka wanted clarification on the two wells.</p> <p>Walla stated one is a proposed well and the other one is shared with Lot 9.</p>
AGENCY COMMENTS 6:23 PM	There were no public agencies present to comment. Written comments were reviewed in the staff report.
PUBLIC COMMENT 6:23 PM	None
APPLICANT REBUTTAL 6:23 PM	None
STAFF REBUTTAL 6:23 PM	None
BOARD QUESTIONS 6:23 PM	None
MAIN MOTION TO ADOPT F.O.F. (FPP-22-11) 6:25 PM	Breckenridge made a motion, seconded by Adams, to adopt staff report FPP-22-11 as findings of fact.
BOARD DISCUSSION 6:25 PM	None

ROLL CALL TO ADOPT F.O.F. (FPP-22-11) 6:25 PM	On a roll call vote, the motioned passed unanimously.
MAIN MOTION TO RECOMMEND APPROVAL (FPP-22-11) 6:25 PM	Breckenridge made a motion, seconded by Nogal, to recommend approval of FPP-22-11 to the Board of County Commissioners.
BOARD DISCUSSION 6:25 PM	Larsen commented that he was disappointed at the last meeting, with a proposal that didn't have all the DEQ submittal information that was required under MCA 76.3.622, this application was nice and complete. Everything in the application addressed each item in MCA 76.3.622. He thanked the applicant for putting a nice submittal together for the Board.
ROLL CALL TO RECOMMEND APPROVAL (FPP-22-11) 6:26 PM	On a roll call vote, the motioned passed unanimously.
OLD BUSINESS 6:26 PM	None
NEW BUSINESS 6:26 PM	Adams asked they needed to hold onto the information from the agenda item that was postponed. The office will send a new packet for everyone.
ADJOURNMENT 6:00 PM	The meeting was adjourned on a motion by Nogal and Votapka at approximately 6:26 p.m. The next meeting will be held August 10, 2022.


 Jeff Larsen, Chairman


 Mary Metzger, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 8/10/22